

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

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| UNITED STATES OF AMERICA, <div style="text-align: center;">Plaintiff,</div> <div style="text-align: center;">vs.</div> PRISCO LOPEZ-DIAZ, <div style="text-align: center;">Defendant.</div> |)))))))))) | 8:07CR248 ORDER |
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This matter is before the court on the motion for an extension of time by defendant Prisco Lopez-Diaz (Lopez-Diaz) (Filing No. 14). Lopez-Diaz seeks until August 29, 2007, in which to file pretrial motions in accordance with the progression order (Filing No. 7). Upon consideration, the motion will be granted.

IT IS ORDERED:

Defendant Lopez-Diaz's motion for an extension of time (Filing No. 14) is granted. Defendant Lopez-Diaz is given until **on or before August 29, 2007**, in which to file pretrial motions pursuant to the progression order. The ends of justice have been served by granting such motion and outweigh the interests of the public and the defendant in a speedy trial. The additional **time** arising as a result of the granting of the motion, i.e., the time between **August 15, 2007¹ and August 29, 2007**, shall be deemed **excludable** time in any computation of time under the requirement of the Speedy Trial Act for the reason defendant's counsel requires additional time to adequately prepare the case, taking into consideration due diligence of counsel, and the novelty and complexity of this case. The failure to grant additional time might result in a miscarriage of justice. 18 U.S.C. § 3161(h)(8)(A) & (B).

DATED this 23rd day of August, 2007.

BY THE COURT:

s/Thomas D. Thalken
United States Magistrate Judge

¹ The original motion deadline was August 15, 2007. **See** Filing No. 7.